Appeals

Students may appeal a disciplinary adjudication within seven business days from the date the student is informed of the original decision. The appeal must be in writing and submitted to the vice president for student affairs. The student shall be advised in writing of the decision on the appeal within 14 business days. If the vice president is unable to respond within 14 business days of the receipt of the appeal, the vice president shall notify the student in writing and provide an estimated timeframe in which the appeal will be decided.

Appeals may be made by either the complainant or the accused on the basis of newly discovered evidence that was not available at the time of the original disciplinary hearing, or based upon a substantial error in the disciplinary proceedings. Severity of the sanction(s) imposed is not grounds for an appeal.

An appeal does not postpone the imposition of sanctions. If the appeal is granted, the decision either will be set aside or the vice president may send the matter back to the appropriate hearing body for further adjudication. The decision of the vice president upon appeal is final.

Student Rights

Fairfield University respects the dignity and rights of each of its students. In all disciplinary cases, students are asked to review their rights and are given the opportunity to ask questions.

Rights of the Accused

1. The right to be advised of the information against him or her, including the nature of the alleged violations, the documentation of those violations, and the names of adverse witnesses and the information they provided.
2. The right to present one’s case and to rebut unfavorable inferences that might be drawn.
3. The right to present the information of any qualified and competent witness who has direct, personal knowledge of the incident or conduct in question. Unless otherwise provided for and/or required by federal or state laws, the accused may request the assistance of an advisor who is a member of the University community. For Student Conduct Board hearings, the witness must submit a written statement at least 48 hours prior to the hearing before the witness will be allowed to appear at the hearing.
4. The right to be absent from a hearing without excuse. However, the case will be heard without the student present and a decision rendered based upon the evidence or information available.
5. The right to be advised of the result of the hearing and the rationale for the decision.
6. The right to have an advisor if the case is heard by the Student Conduct Board. The advisor must be a member of the immediate University community (faculty, staff, or fellow student). The advisor serves as a support person and will offer assistance to the student before and during the hearing. The advisor may not address the board; however, he or she can ask questions of the witnesses if these questions are relevant to the case and have not been asked before.
7. If the case is heard by the Student Conduct Board, the student has the right to delay the scheduling of a hearing date for up to five days if a legitimate excuse has been established in the opinion of the dean of students. If the case is heard by the Peer Conduct Board or student conduct administrator, the student has the right to delay the scheduling of a hearing date for up to three days if a legitimate excuse has been established in the opinion of the dean of students.

Rights of the Complainant

1. The right to meet with the Office of the Dean of Students to discuss the student conduct process.
2. The right to be advised of the date, time, and location of the student conduct hearing and to request rescheduling for good cause, if the case is being heard by the Student Conduct Board.
3. Unless otherwise provided for and/or required by federal or state laws, the respondent student may request the assistance of an advisor who is a member of the University community.
4. The right to appear as a witness at student conduct hearings.
5. The right to decline to appear, with knowledge that such action could result in dismissal of the alleged violations for lack of evidence or information.
6. The right to submit a written impact statement to the Office of the Dean of Students, Student Conduct Code
Sanctions

Disciplinary sanctions are intended to offer educational correctives to unacceptable behavior. For some infractions, the University has prescribed minimum or maximum sanctions (e.g., violation of alcohol or drug policies). The sanctions imposed will be determined based upon the severity of the infraction, the student's prior record, and any other relevant circumstances. Failure to comply with sanctions is itself a violation of University policy and may result in probation, a hold placed on student records, and/or dismissal.

Possible sanctions include, but are not limited to:

**Alcohol/Drug Education:** Required attendance and participation in wellness classes.

**Community Service:** A number of hours of service to the University or the community. Unless otherwise stated, service hours must be completed within 45 days of their issuance.

**Disciplinary Probation:** A probationary status with the University that means the student is not in good standing with the University because of his or her behavior. Disciplinary probation is intended to reflect the seriousness of the student's misconduct. The student cannot hold a leadership position in any recognized student organization or athletic team and may be restricted from participating in University activities, including varsity athletics or club sports, and representing the University. Most importantly, further infractions while on probation will likely result in dismissal or expulsion. Disciplinary probation will continue for a minimum of two full academic semesters, unless the student is placed on probation before the halfway point of a particular semester. In those situations, probation will continue for the duration of that semester and one additional full semester. Probationary periods end only with the conclusion of regular academic semesters.

**Dismissal:** Withdrawal from the University for disciplinary reasons that is an interruption in progress towards a degree for an indefinite period of time that does allow the student to reapply to the University in the future. While dismissed, a student is not welcome on campus and is subject to arrest for trespassing. If a dismissed student has a need to come to campus, a request must be made to and approval given by the Department of Public Safety or the Office of the Dean of Students at least 48 hours in...